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SW

8 October 1970

MEMORANDUM FOR THE RECORD

SUBJECT: Defense Appropriation Act

1. On Wednesday, 7 October 1970, Mr. J. Fred Buzhardt, General Counsel, Department of Defense, pointed out to me that the Defense Appropriation Act, as reported out by the House Committee, did not contain the wording of the Fulbright amendment. He said that while this might be subject to a point of order in view of the wording of the Authorization Act, Mr. Mahon had obtained a rule from the Rules Committee that no points of order would be raised during the debate on the bill. He also felt there was some possibility that if the bill went forward in this form no point of order would be raised in the Senate. Mr. Buzhardt said his office was of the opinion✓ that restrictive wording in an Authorization Act not contained in the appropriation did not restrict the appropriation. I said we would stay clear of any action on or discussion of the Appropriation bill on the Hill or elsewhere.



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LAWRENCE R. HOUSTON
General Counsel

✓ OGC Subject - APPROPRIATIONS
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